

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.447 of 2018

ORDER:

The grievance of the petitioner is with regard to the proceedings dated 21.09.2013 issued by the Tahsildar, Mulugu Mandal, Siddipet District, and the Intimation of Refusal dated 09.02.2015 issued by the Sub-Registrar, Gajwel, Siddipet District. A consequential direction is sought to the Sub-Registrar to receive the sale deed dated 31.01.2015 executed in favour of the petitioner in relation to the land admeasuring Acs.2.20 guntas, out of the total extent admeasuring Acs.12.00 guntas in Sy.No.136 of Srirampur Village, Mulugu Mandal, Medak District, without reference to the proceedings dated 21.09.2013 of the Tahsildar, Mulugu Mandal.

By the impugned proceedings dated 21.09.2013, the Tahilsdar, Mulugu Mandal, informed the Sub-Registrar, Gajwel, that certain lands fall within the prohibition contemplated by Section 22-A of the Registration Act, 1908, and furnished to him a list of the said lands, requesting him to take necessary action to see that no document was registered in relation thereto. It is basing upon this list that the Intimation of Refusal dated 09.02.2015 was issued by the Sub-Registrar, Gajwel.

Though the matter has undergone adjournments, the respondent authorities have neither furnished any written instructions to the Government Pleader's Office nor have they chosen to file a counter.

Sri E.Madan Mohan Rao, learned counsel for the petitioner, would however state that it would suffice at this stage if the matter is disposed of directing the Collector, Siddipet District, to take necessary action upon the appeal filed by the petitioner's vendor under Section 87 of the Andhra Pradesh (Telangana Area) Land Revenue Act, 1317 Fasli. He would point

out that upon filing of the said appeal, the erstwhile District Collector, Medak at Sangareddy, addressed letter dated 17.12.2011 to the Tahsildar, Mulugu Mandal, Medak District, and the Assistant Director, Survey & Land Records, Medak at Sangareddy, calling for information as to whether the entry 'Khariz Khata' in the revenue records in respect of the land admeasuring Acs.12.00 guntas in Sy.No.136 of Srirampur Village, Mulugu Mandal, Medak District, was correct or not.

Thereupon, the Assistant Director, Survey & Land Records, Medak at Sangareddy, informed the District Collector, Medak at Sangareddy, *vide* letter dated 31.01.2012, that upon verification of the relevant records, he found that the land admeasuring Acs.12.00 guntas in Sy.No.136 of Srirampur Village was a patta land standing in the name of one Abdul Kareem. He also submitted a copy of the Sethwar. There is no indication as to whether the Tahsildar, Mulugu Mandal, responded to the communication from the Collector, Medak District, but the patta certificate issued by the Mandal Revenue Officer, Mulugu Mandal, as long back as on 30.09.2004 reflects that the extent of Acs.12.00 in Sy.No.136 of Srirampur Village, Mulugu Mandal, was certified to be 'purely a patta land which did not attract Government/Ceiling/Inam lands'.

In the above circumstances, as the District Collector of the erstwhile Medak District already initiated steps on the pending appeal which are yet to culminate and as the District Collector, Siddipet, the successor-in-interest, would have to consider and continue the said appeal proceedings, the writ petition is disposed of directing the District Collector, Siddipet District, to take appropriate action on the appeal filed under Section 87 of the Andhra Pradesh (Telangana Area) Land Revenue Act, 1317 Fasli by the petitioner's vendor and communicate the decision taken thereon to the vendor of the petitioner. This exercise shall be completed

expeditiously and in any event, not later than eight weeks from the date of receipt of a copy of this order. Depending upon the result of the said exercise, it would be open to the petitioner to present his document relating to the subject land for registration.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:04.02.2019

PGS